

**TOWN OF BUCKEYE  
REGULAR COUNCIL MEETING  
APRIL 19, 2005  
MINUTES**

**Town Council Chambers  
100 N. Apache Road  
Buckeye, AZ 85326  
7:00 p.m.**

**REVISED AGENDA**

**POSTED 4-18-05 5:00 P.M. Item 5U was added to the agenda**

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**1. Call to Order/Pledge of Allegiance/Roll Call.**

Vice Mayor Urwiller called the meeting to order at 7:00 p.m.

Members Present: Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Councilwoman May, and Councilman Doster

Members Absent: Councilman Garza and Mayor Hull.

Departments Present: Town Manager Carroll Reynolds, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Deputy Clerk Lucinda Aja, Fire Chief Scott Rounds, Fire Marshall Bob Costello, Finance Director Ron Brown, Parks, Rec and Library Director Jeanine Guy, Police Chief Dan Saben, Public Works Director Chris Young, Community Development Director Dennis Zwagerman, Town Engineer Woody Scoutten, Sr. Accountant Iris Wallace, Human Resources Director Toni Brown, and Airport Director Jason Hardison.

**2. Comments from the Public**

- Elizabeth McClure addressed the Council about the need of a recycling program for Buckeye.
- Richard Adams stated that he would like another Senior Center survey done to see if the attendants are happy.
- Rachel Aja of the Homebuilders Association asked to speak about Item 5U, and to thank and commend the Community Development Department for all of their hard work.

**CONSENT AGENDA**

**All items with and (\*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council. Councilwoman May requested Item 5A be pulled from the consent agenda. Motion made by Councilman Beard and seconded by Councilwoman May to approve Items \*3, \*4, and \*5B. Motion passed unanimously. Motion made by Councilman Meck and seconded by Councilwoman May to approve Item \*5A. Motion passed unanimously.**

\*3. Council approved the minutes of the April 5, 2005 Council workshop and regular meeting as presented.

\*4. Council approved invoices due by the Town for payment. Copies of invoices are available at Town Hall for review.

**5. New Business**

\*5A. Council approved appointment of Councilman Doster as representative and Councilman Beard as alternate to the Community Development Advisory Committee (CDAC) for a term of office from July 1, 2005 to June 30, 2006.

\*5B. Council approved the award of a contract to Southwest Engineering in an amount not to exceed \$8,100 for engineering services related to the construction of a traffic signal at the intersection of MC-85 and Miller Road with the form subject to minor changes necessary to finalize the agreement.

**NON CONSENT AGENDA ITEMS**

**5C. Ordinance 21-05 Annexation MONTALBANO HOMES A04-31**

Requested by Jim Talbert of Manhard Consulting on behalf of Montalbano Homes for the annexation of approximately eighty (80) acres located on the northwest corner of Perryville Road and Broadway Road.

Motion made by Councilman Meck and seconded by Councilwoman May to adopt Ordinance 21-05 increasing the corporate limits of the Town of Buckeye and read by title only. Motion passed unanimously.

**5D. Ordinance 22-05 HEIDEN A04-28**

Requested by George Musser on behalf of Bruce Heiden for the annexation of approximately 400 acres located on the northwest corner of Southern Avenue and Rooks Road. Motion made by Councilman Beard and seconded by Councilwoman May to adopt Ordinance 22-05 increasing the corporate limits of the Town of Buckeye and read by title only. Motion passed unanimously.

**5E. Resolution 33-05- Final Plat of a subdivision to be known as Verrado Parcel 4.623 VERRADO FP05-10**

Requested by Biskind, Hunt & Taylor, P.L.C. to approve Resolution 33-05 approving the Final Plat of a subdivision to be known as "Verrado Parcel 4.623" located within Planning Unit IV in the southeastern portion of Phase 1 of the Verrado Master Planned Community in a portion of Section 30, Township 2 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County. Site consists of 34 lots on 13.53 acres. This site consists of 13.53 acres, 34 single family lots, with a proposed lot size of 80'x135'. Motion made by Councilman Meck and seconded by Councilwoman May to approve with the stipulation stating there shall be no parking on all streets within the area as measured 60 feet from the point of intersection of the back of curb lines extended and a no parking area shall be designated with signage and curb indicators with exact color and type to be determined by the Town of Buckeye Public Works Director. Motion passed unanimously.

**5F. Resolution 34-05 Westpark Parcel 14- FP04-568**

Requested by Karen Williamson of Roston on behalf of AZPropertyCo Holdings, LLC. to adopt Resolution 34-05 approving the Final Plat of a subdivision to be known as "Westpark Parcel 14" located within Phase 2 of the Westpark Master Planned Community in a portion of Section 19 of Township 1 North, Range 3 West of Gila and Salt River Base and Meridian. This site consists of 22.78 acres, 116 single family lots, with a proposed lot size of 45'x110'. Motion made by Councilman Meck and seconded by Councilwoman May to approve with three (3) stipulations stating (1) there shall be no parking on all streets within the area as measured 60 feet from the point of intersection of the back of curb lines extended and a no parking area shall be designated with signage and curb indicators with exact color and type to be determined by the Town of Buckeye Public Works Director, (2) On street parking shall be restricted to one side of the street within this plat and shall be designated as no parking zones with signage and curb indicators (exact type and colors to be determined by the Town of Buckeye Public Works Director), and (3) On Parcels 13, 14, 18, and 20 the back of curb street width of 28 feet with the addition of stipulations K and L. The remainder of Phase 2 and all of Phase 3 shall have a back of curb width of 32 feet. Motion passed unanimously.

**5G. Resolution 35-05-Final Plat of a subdivision to be known as Westpark Parcel 13 LLC FP04-567**

Requested by Karen Williamson of Roston on behalf of AZPropertyCo Holdings to adopt Resolution 35-05 approving the Final Plat of a subdivision to be known as "Westpark Parcel 13" located within Phase 2 of the Westpark Master Planned Community in a portion of Section 19 of Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. This site consists of 23.88 acres, 98 lots, and 53'x115' lot size. Motion made by Councilman Meck and seconded by Councilwoman May to approve with three (3) stipulations stating (1) there shall be no parking on all streets within the area as measured 60 feet from the point of intersection of the back of curb lines extended and a no parking area shall be designated with signage and curb indicators with exact color and type to be determined by the Town of Buckeye Public Works Director, (2) On street parking shall be restricted to one side of the street within this plat and shall be designated as no parking zones with signage and curb indicators (exact type and colors to be determined by the Town of Buckeye Public Works Director), and (3) On Parcels 13, 14, 18, and 20 the back of curb street width of 28 feet with the addition of stipulations K and L. The remainder of Phase 2 and all of Phase 3 shall have a back of curb width of 32 feet. Motion passed unanimously.

**5H. Resolution 36-05-Final Plat of a subdivision to be known as Parkplace at Buckeye FP04-502**

Requested by George Musser on behalf of Parkplace at Buckeye, L.L.C. After some discussion a motion made by Councilman Meck and seconded by Councilwoman May to adopt Resolution 36-05 approving the Final Plat of a subdivision to be known as "Parkplace at Buckeye" located in apportion of the southwest quarter of Section 6, Township 1 South, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona consisting of approximately 66.07 acres, 267 single family lots, with lot sizes 48'x63', 53'x119', 58'x85'. with (2) stipulations, (1) On street parking shall be restricted to one side of the street within this plat and shall be designated as no parking zones with signage and curb indicators (exact type and colors to be determined by the Town of Buckeye Public Works Director), and (2) the back of curb street width of 28 feet, and a back of curb width of 32 feet. Motion passed unanimously.

**5I. Resolution 37-05-Final Plat of a subdivision to be known as Tartesso Unit 1 TARTESSO WEST FP03-484**

Requested by Stephen Earl of Earl, Curley, & Legarde on behalf of Stardust-Tartesso W12, Inc. Motion made by Councilman Meck and seconded by Councilman Beard to adopt Resolution 37-05 approving the Final Plat of a subdivision to be known as "Tartesso Unit 1" located within the Tartesso West Master Planned Community in portions within Section 20 and 29, Township 2 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona consisting of 258 gross acres, 766 lots, with various lot sizes. Motion passed unanimously.

**5J. Resolution 38-05- Final Plat of a subdivision to be known as Tartesso Unit 2A TARTESSO WEST FP04-166**

Requested by Stephen Earl of Earl, Curley, & Legarde on behalf of Stardust-Tartesso W12, Inc. Motion made by Councilman Meck and seconded by Councilwoman May to adopt Resolution 38-05 approving the Final Plat of a subdivision to be known as "Tartesso Unit 2A" located within the Tartesso West Master Planned Community in portions within Section 25 and 30, Township 2 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. This site consists of 451 gross acres, 1,247 lots, with various lot sizes. Motion passed unanimously.

**5K. Development Code Amendment- Article 7, Sections 7-7-4, and 7-8-4**

Motion made by Councilwoman May and seconded by Councilman Meck to not authorize the initiation of an amendment to the Town of Buckeye Development Code by amending Article 7, Sections 7-7-4, and 7-8-4 regarding the status and approval of preliminary plats and Section 7-8-4 regarding Development Code Amendments. Motion passed unanimously.

**5L. Development Code Amendment- Article 7, Section 7-7-4 and 7-8-4**

Motion made by Councilman Meck and seconded by Councilwoman May to authorize the initiation of an amendment to the Town of Buckeye Development Code by amending Article 7, Section 7-7-4 and 7-8-4 regarding Preliminary Plat extensions with the addition of C and D from Item K. Motion passed unanimously.

**5M. Intergovernmental Agreement between Agua Fria Union High School District #216 and the Town of Buckeye- Development Processing and General Cooperation.**

Motion made by Councilman Beard and seconded by Councilman Doster to approve the Intergovernmental Agreement between Agua Fria Union High School District #216 and the Town of Buckeye regarding development processing and general cooperation. Motion passed unanimously.

**5N. WLB Group- Cultural Resources Survey- Purchase of BLM Land**

Motion made by Councilman Meck and seconded by Councilwoman May to approve a contract with WLB Group for the scope of services proposed for year one in the amount of \$199,185 to complete a Cultural Resources Survey necessary for the purchase of BLM land with the stipulations that it is subject to changes in the standard conditions as worked out by legal council and the Parks and Rec Director, and it is subject to annual appropriation and approval. Motion passed unanimously.

**5O. Buckeye Main Street Coalition- Main Street Director Salary**

Motion made by Councilman Meck to grant a request from Buckeye Main Street Coalition for \$75,000 (salary \$50,000, benefits \$15,000, travel, conferences, dues and education expense \$10,000) from the Downtown Revitalization Fund to be used to hire a new Main Street Director with the stipulation that the amount includes the prorated amount for the remainder of this fiscal year. Motion passed unanimously.

**5P. Garney Construction- Wastewater Treatment Plant Expansion**

Chris Young said the project would start immediately upon approval to be completed in December of 2005 for expansion of 1.5 million gallons per day. Motion made by Councilman Meck and seconded by Councilwoman May to award a contract to Garney Construction for Guaranteed Maximum Price #2 (GMP#2) in an amount of \$5,014,009 with \$250,700.45 Contingency for a total contract price of \$5,264,709.45 for the expansion of the Wastewater Treatment Plant. Motion passed unanimously.

**5Q. Banicki Construction- Reconstruction of 5<sup>th</sup> Street (Beloat Road to Monroe Ave.), 7<sup>th</sup> Street (Beloat Road – Mahoney Avenue), and Narramore Avenue (Beloat Road to MC85)**

Motion made by Councilman Doster and seconded by Councilman Beard to award a contract to Banicki Construction in the amount not to exceed \$979,033.80 for the reconstruction of 5<sup>th</sup> Street (Beloat Road to Monroe Ave.), 7<sup>th</sup> Street (Beloat Road – Mahoney Avenue), and Narramore Avenue (Beloat Road to MC85) with the form of the agreement subject to those minor changes necessary to finalize the agreement. This project is partially funded through the CDBG process in the amount of \$462,000. Motion passed unanimously.

**5R. Festival Ranch Community Facilities District- Resolution 39-05**

Motion made by Councilman Meck and seconded by Councilwoman May to adopt Resolution 39-05 forming such District and entering into a Development, Financing Participation and Intergovernmental Agreement No. 1 with such District and grant a petition received relative to formation of the Festival Ranch Community Facilities District. Motion passed unanimously.

**5S. Temporary Planner I Positions- Community Development Department**

Motion made by Councilman Meck and seconded by Councilwoman May to authorize two temporary Planner I positions in the Community Development Department to be funded by an agreement with the Development Community. Motion passed unanimously.

**5T. Westpark Development Service Agreement- Maintenance of Streets for the Phase I Infrastructure**

Motion made by Councilman Beard and seconded by Councilwoman May to approve the Westpark Development Service Agreement regarding the maintenance of streets for the Phase I Infrastructure in the Westpark Community Facilities District. Motion passed unanimously.

**5U. Ordinance 19-05 Amending the Town Code Sections 18-1-4 and 18-1-5**

Motion made by Councilman Beard and seconded by Councilwoman May to adopt Ordinance 19-05 amending the Town Code Sections 18-1-4 and 18-1-5, declaring an emergency, and read by title only. Motion passed unanimously.

**6. Town Manager's Report**

- Need for adoption of Public Safety Training, more information at a later date.
- Marquis Funeral time / location
- MAG Census Population and revenue estimate at 1.18 million increase in revenue sharing.

**7. Comments from the Mayor and Council**

**Meck**-The April 16<sup>th</sup> Retreat was very positive, inquired about the Sonora Fence

**Beard**-None

**Vice Mayor Urwiller**-New staff is Dave Dial, Sr. Civil Engineer

**Councilwoman May**-None

**Councilman Doster**-In response to the recycling inquiry: Town has a recycling program in place for municipal departments, and the City of Phoenix is going to assist us to put a program in place for the public.

**Councilman Garza**-absent

**Mayor Hull**-absent

**8. Adjournment.**

Their being no further business to come before Council motion made by Councilman Meck and seconded by Councilwoman May to adjourn at 8:57 p.m. Motion passed unanimously.

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**Dustin Hull, Mayor**

**ATTEST:**

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**Linda Garrison, Town Clerk**

I hereby certify that the foregoing is a true and correct copy of the Regular Council Meeting held on the 19th day of April, 2005. I further certify that a quorum was present.